

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to the name, and I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DETECTOR FOR A MEASURING DEVICE

the specification of which

(X) is attached hereto.

() was filed on _____ as U.S. Appln. Serial No. _____
(X) was filed as PCT Intl. Appln. No. PCT/EP95/01985 on 26 May 1995
and if applicable to U.S. or PCT appln.) was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37C.F.R.1.56(a). I hereby claim foreign priority benefits under 35U.S.C.119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s):

Application Number	Country	Day/Month/Year Filed
P 44 23 338.8	DE	June 20, 1994

I hereby claim the benefit under 35 U.S.C.120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35U.S.C.112, I acknowledge the duty to disclose material information as defined in 37C.F.R.1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application.

Prior U.S./PCT Application(s):

Application Serial No.	Day/Month/Year Filed	Status: patented, pending, abandoned
PCT/EP95/01985	26/May/1995	pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint Martin J. Marcus (Reg. No. 18823) of Marcus & Associates, P.O. Box 8721, Station "T", Ottawa, Ontario, Canada, K1G 3J1, telephone number (613)232-2685 (to whom all communications are to be directed), to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

(1) Inventor's Signature Helmut J. Kubisiak Date 06 Dec 1996

Inventor's Name (typed) Helmut Kubisiak DE
FIRST Middle Family Name Citizenship

Residence Neuenburger Strasse 30/1, D-75335 Dobel (DE) DEX

Post Office Address Neuenburger Strasse 30/1, D-75335 Dobel (DE)

Applicant or Patentee: Helmut KubisiakAttorney's
Docket No.: PORTO12

Serial or Patent No.: _____

Filed or Issued: _____

For: DETECTOR FOR MEASURING DEVICEVERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) — SMALL BUSINESS CONCERN

I hereby declare that I am

- ☒ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN BETARAY KUBISIAK GMBHADDRESS OF CONCERN Neuenburger Strasse 30/1,
D-75335 Döbeln (DE)

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.21.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled _____

DETECTOR FOR A MEASURING DEVICE

by inventor(s)

Helmut Kubisiak

described in

- ☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(c). NOTE: Separate verified statements are required from each person, concern or organization having rights to the invention availing to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING xTITLE OF PERSON OTHER THAN OWNER xxADDRESS OF PERSON SIGNING xSIGNATURE x Helmut Kubisiak DATE 6 Dec 1996

ASSIGNMENT

WHEREAS the below named inventor (or any one inventor is named below) or inventors (if plural inventors are named below) hereinafter referred to as the ASSIGNOR invented a certain improvement relating to

DETECTOR FOR A MEASURING DEVICE

- ☒ for which an application for Letters Patent to be filed in the United States Patent and Trademark Office was executed on even date.
- ☐ for which U.S. Application Serial No. _____ for Letters Patent was filed in the U.S. Patent and Trademark Office on _____
- ☐ for which an International Application was filed on _____ PCT/ _____ designating the United States.

AND WHEREAS

BETARAY KUBISIAK GMBH
Neuenburger Strasse 30/1
D-75335 Dobel (DE)

hereinafter referred to as the ASSIGNEE, is desirous of acquiring the entire right, title, and interest in and to said invention and application, including any and all divisions and continuations thereof, and any and all Letters Patent which may be granted thereof, including any and all renewals, reissues, and prolongations thereof.

NOW, THIS WITNESSETH that for good and valuable considerations, the receipt whereof is hereby acknowledged, ASSIGNOR hereby assigns, sells, and transfers to ASSIGNEE, its assigns and legal representatives, the entire and exclusive right, title, and interest in and to said invention and application, including any and all divisions and continuations thereof, and any and all Letters Patent which may be granted therefor, including any and all renewals, reissues, and prolongations thereof, ASSIGNEE and its assigns and legal representatives to have, hold, exercise, and enjoy the said invention and application, including any and all divisions and continuations thereof, and any and all Letters Patents which may be granted therefor, including any and all renewals, reissues, and prolongations thereof, with all the rights, powers, privileges and advantages in anywise arising from or appertaining thereto, for and during the term or terms of any and all such Letters Patent when granted, including any and all renewals, reissues, prolongations thereof, for the use and benefit of ASSIGNEE and its assigns and legal representatives, in as ample and beneficial a manner to all intents and purposes as the ASSIGNOR might or could have held and enjoyed the same, if the assignment had not been made.

AND ASSIGNOR hereby agrees to execute all papers that may be necessary to file applications in the United States for said invention and to assign the same to said ASSIGNEE or its assigns or legal representative and to execute any other papers that may be needed in connection with filing said application and securing a Letters Patent thereon.

AND ASSIGNOR authorizes and requests the Commissioner of Patents and Trademarks to issue a Letters Patent on said application, and on any and all divisions and continuations thereof, to ASSIGNEE, its assigns and legal representatives, in accordance herewith.

IN TESTIMONY WHEREOF this assignment is executed by ASSIGNOR.

201	FULL NAME OF SOLE OR FIRST INVENTOR	INVENTOR'S SIGNATURE	DATE
	Helmut Kubisiak	Helmut Kubisiak	6 Dec 1996
202	FULL NAME OF SECOND JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
203	FULL NAME OF THIRD JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
204	FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
205	FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
206	FULL NAME OF SIXTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
207	FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
208	FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
209	FULL NAME OF NINTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
210	FULL NAME OF TENTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
211	FULL NAME OF ELEVENTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
212	FULL NAME OF TWELFTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE